

Delegated Report		Analysis sheet		Expiry Date:	15/02/2013
		N/A		Consultation Expiry Date:	14/02/2013
Officer			Application Number(s)		
Seonaid Carr			2012/6806/P		
Application Address			Drawing Numbers		
19B and 19C Canfield Gardens London NW6 3JP			See draft decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Installation of staircase from garden to upper ground floor level, and associated replacement of existing window with door to rear elevation of flats (Class C3) and erection of a trellis on side boundary wall.					
Recommendation(s):		Refuse permission			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	09	No. of responses	02	No. of objections	02
			No. Electronic	02		
Summary of consultation responses:	<p>A press notice was published 24 January 2013 (expired 14 February 2013) and a site notice was displayed from 18 January 2013 until 08 February 2013.</p> <p>As a result of the consultation two objections have been received which raise the following concerns:</p> <ul style="list-style-type: none"> • The stairs are too close to the boundary wall and project far too much above the garden creating a visually unpleasant and overpowering feature constantly visible from our garden; • Neighbouring garden would be significantly overlooked resulting in loss of privacy to patio and garden; • Changing the window into a door will be directly in view of our bedroom window on the upper floor resulting in loss of privacy; • Concern about noise nuisance every time the stairs are being used; • Impact on level of light into neighbouring property; • Inappropriate design; • Question of security, as it would be easier to climb up to our windows on the upper floor; and • Oppose to the general idea of building stairs down to the gardens from the flats above, it changes the character of the estate and the garden. 					
CAAC/Local groups comments:	N/A					

Site Description

The site is located to the southern side of Canfield Gardens and is comprised of a four storey mid terrace property subdivided into three flats. To the rear elevation the property has a two storey bay window with balcony above at first floor level. The fenestration to the property is of timber construction.

The site is located within the South Hampstead Conservation area and although the building is not listed it is subject of an Article 4 Direction which removes the permitted development rights for the property.

Relevant History

There is no relevant planning history relating to the application site.

Relevant policies

National Planning Policy Framework (April 2012)

The London Plan (2011)

LDF Core Strategy and Development Policies(2010)

CS5 Managing the impact of growth and development

CS14 Promoting high quality places and conserving our heritage

DP24 Securing high quality design

DP25 Conserving Camden's heritage

DP26 Managing the impact of development on occupiers and neighbours

Camden Planning Guidance 2011

CPG1 Design

CPG6 Amenity

South Hampstead Conservation Area Character Appraisal and Management Strategy (2011)

Assessment

Proposal

Planning permission is sought for the installation of a metal staircase to the rear elevation leading from the upper ground floor level into the garden, and associated replacement of existing casement window with door and erection timber trellis.

Design

Policies CS14 and DP24 seek to ensure all development is of the highest quality design and considers the character, setting, context and form of neighbouring buildings. Furthermore Policy DP25 seeks to preserve and enhance the character and appearance of Conservation Areas.

When considering the proposed external stair on its own, it is a relatively modest addition to the property which would not appear dominant given its lightweight nature. The applicant has stated there would be a privacy screen and trellis however the privacy screen is not shown on the plans. However it is considered the combination of the stair and trellis would appear as visual clutter due to its siting, design and material when viewed from the rear of the property which would cause harm to the integrity of the host building and the character and appearance of the surrounding conservation area, contrary to Policies DP24 and DP25.

As the rear elevation of the building exists, it is characterised by a two storey bay window which is a feature of the majority of the properties within the terrace row. It is considered the proposed stair and associated trellis would detract from this architectural feature of the property causing harm to the character of the building, as such the development would fail to accord with Policy DP24.

When considering the external stair within the context of the terrace row, it is noted that external stairs are not a frequent feature along this row of properties, as such any form of development of this kind should appear as a sympathetic addition to the property which integrates well with the host dwelling and surrounding terrace. Given the extent of the proposed trellis it is considered the development would not appear as a subservient feature to the rear elevation or terrace as a whole and as such would not preserve or enhance the character of the surrounding Conservation Area as required by Policy DP25.

With regard to the replacement of the existing window with door in association with access to the garden via the proposed stair, it is considered this would be an acceptable form of development. The proposed door would sit within the width of the existing opening with an increase in height to accommodate the door. Although there would be this increase in height, the additional height to the bottom section of the door would be solid and would incorporate a glazing bar in line with the glazing bars of the existing windows, as such the new door would read largely like a new window as oppose to a fully glazed door. It is therefore considered that the proposed door would be a sympathetic addition to the property which would not detract from the character or integrity of the host building.

Amenity

Policy CS5 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. Furthermore Policy DP26 seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of neighbouring residents. This includes privacy, overlooking, outlook and implications on daylight and sunlight.

In respect of privacy, it is noted there is a degree of mutual overlooking at present between the windows of the application site and neighbouring properties due to the siting of the bay windows. Given the location of the proposed stair the development would have most impact on the residents within No.17 Canfield Gardens. The development would include a trellis which would run along the boundary with No.17 for a depth of 1.1m rising 1.7m above the platform at the top of the stair. In general terms this height is accepted as appropriate to ensure neighbouring amenity is safeguarded. Such a height is taken from the Town and Country Planning General Permitted Development Order 1995 (as amended) which conditions any window at an upper level on a side elevation to be non opening unless the opening section is above 1.7m. Further to this the applicant has stated there will be an obscure glazed screen adjacent to the trellis to further protect the privacy of the neighbours. To secure this a condition requiring further details of said screen will be imposed on the decision notice should planning permission be granted.

However, the proposed trellis would only protect the platform area of the external stair. When ascending or descending the stairs there would be direct views into the bay window of No.17 at both ground and first floor levels. Such direct views at an elevated position currently don't exist, as such the proposed development would

cause harm to the privacy enjoyed by the occupiers of No.17, thereby failing to accord with policy DP26.

To safeguard the privacy of the occupiers of No.17 it would be necessary to erect a larger privacy screen, however given the current proposal is unacceptable in design terms anything greater is also likely to be unacceptable.

A neighbour has raised concern in respect of the change of window to a door and the implication this would have on privacy. However the proposed door would contain the same level of glazing as the existing window as such it would not afford a greater opportunity to overlook the neighbouring property.

With regard to the impact on daylight and sunlight, the only residents that would potentially be impacted would be the occupiers of No.17. The rear of No.17 is like No.19 formed by a two storey bay window. Given the scale of development, the works would only impact the levels of light received into the window of the bay directly on the boundary with No.19. As there are two other openings to this bay which would remain largely unaffected by the proposed works it is considered that the development would not lead to a loss of light into the neighbouring windows to the detriment of the occupier's amenity.

In respect of the impact of the development on noise levels within the context of adjoining neighbours, the development is an alteration to an existing residential unit, it would not increase the occupancy of the unit or the net number of units. If there were to be undue noise at the application property this would be subject to Environmental Health regulations. It is not considered that the proposed external stair would result in excessive noise at the application property given the nature of the use, in association with the existing residential unit.

Conclusion

It is concluded that the proposed development would be unacceptable in terms of design, constituting an inappropriate form of development to the rear of the application property and also in terms of amenity, resulting in harm to the privacy enjoyed by the occupiers of No.17 Canfield Gardens.

Recommendation: Refuse permission

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